

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2019-387-A

In the Matter of:)
)
 Rulemaking Proceeding for the Purpose)
 of Promulgating a Regulation to Help)
 Prevent the Potential for Misleading)
 Advertisements by Prohibiting the Sale of)
 Customer Data by Regulated Utilities)
 Absent a Customer's Direct Consent (See)
 Commission Order No. 2019-877))
 _____)

PETITION TO INTERVENE OF
DUKE ENERGY CAROLINAS,
LLC AND DUKE ENERGY
PROGRESS, LLC

Duke Energy Carolinas, LLC (“DEC”) and Duke Energy Progress, LLC (“DEP”) (collectively, the “Companies”) hereby petition the Public Service Commission of South Carolina (the “Commission”) for permission to intervene in the above-captioned proceeding pursuant to S.C. Code Ann. Reg. 103-825 (2012) and other applicable provisions of the Commission’s Rules of Practice and Procedure. In support of this Petition, the Companies show the following and request the following relief:

1. DEC is a public utility engaged in the generation, transmission, distribution, and sale of electric energy in the western portion of South Carolina and central and western portions of North Carolina. It is a public utility under the laws of South Carolina and is subject to the jurisdiction of this Commission with respect to its operations in this State. DEC is also authorized to transact business in North Carolina and is a public utility under the laws of that state. Accordingly, its operations in North Carolina are subject to the jurisdiction of the North Carolina Utilities Commission. DEC’s mailing address is Duke Energy Carolinas, LLC, PO Box 1321 (DEC 45A), Charlotte, NC 28201-1006.

2. DEP is a public utility engaged in the generation, transmission, distribution, and sale of electric energy in the eastern portion of South Carolina and western portions of North Carolina. It is a public utility under the laws of South Carolina and is subject to the jurisdiction of this Commission with respect to its operations in this State. DEP is also authorized to transact business in North Carolina and is a public utility under the laws of that state. Accordingly, its operations in North Carolina are subject to the jurisdiction of the North Carolina Utilities Commission. DEP's mailing address is Duke Energy Progress, LLC, PO Box 1551, Raleigh, NC 27602-1551.
3. The attorneys for the Companies, to whom all correspondence and any other matters relevant to this proceeding should be addressed, are:

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4. On November 27, 2019, the South Carolina Office of Regulatory Staff ("ORS") filed its Petition for Rulemaking with the Commission in which it requested the Commission hold

a rulemaking proceeding to determine appropriate parameters and standards regarding a utility's use of customer data and recommended that the regulations regarding a utility's ability to sell customers' data be examined. The ORS's Petition was filed in Docket 2019-367-A.

5. On December 18, 2019, in Docket 2019-367-A, the Commission issued Order No. 2019-877, in which it approved the ORS's request to open a rulemaking for the purpose of promulgating a regulation to help prevent the potential for misleading advertisements by prohibiting the sale of customer data by regulated utilities, absent a customer's direct consent. The Commission further ordered that this docket, 2019-387-A, be opened for the purposes of this rulemaking.
6. The Companies have a real and substantial interest in the subject matter of the above-captioned proceeding, in that the outcome of the proceeding impacts regulated utilities like the Companies. As public utilities, the Companies' interests are directly affected by the outcome of this proceeding and cannot be adequately represented by any other party. Accordingly, the Companies submit that good cause exists for the Commission to allow the Companies to participate as intervenors in the above-captioned proceeding.
7. The Companies have not developed a final position in this matter, but reserve the right to modify, amend or expand any position the Companies develop during the course of this proceeding, including any position espoused herein.

WHEREFORE, for the reasons set forth above, Duke Energy Carolinas, LLC and Duke Energy Progress, LLC respectfully request that the Commission enter an order granting the Companies' the right to intervene in this docket and granting such other and further relief as is just and proper.

Dated this 30th day of December, 2019.

s/Katie M. Brown

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